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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,958	09/20/2006	Poul Erik Jespersen	PATRADE	8746

7590 06/04/2008
James C. Wray
1493 Chain Bridge Road
Suite 300
McLean, VA 22101

EXAMINER

SCRUGGS, ROBERT J

ART UNIT	PAPER NUMBER
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3723

MAIL DATE	DELIVERY MODE
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06/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/581,958	Applicant(s) JESPERSEN, POUL ERIK	
	Examiner ROBERT SCRUGGS	Art Unit 3723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 14, 2007 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Platt (1666347) in view of Rosa (6113472).

In reference to claim 1, Platt discloses a grinding apparatus for processing a workpiece (the examiner notes that the type of workpiece used is considered intended use and does not add patentable weight to the claim because as long as the structure of the Platt meets the structure required by the claims the device could obviously be used on any type of workpiece which includes one having edges, roundings and burrs) comprising, a support arrangement (4) holding a number of grinding heads (12) each of which include grinding elements, an endless conveyer means formed as drive chain

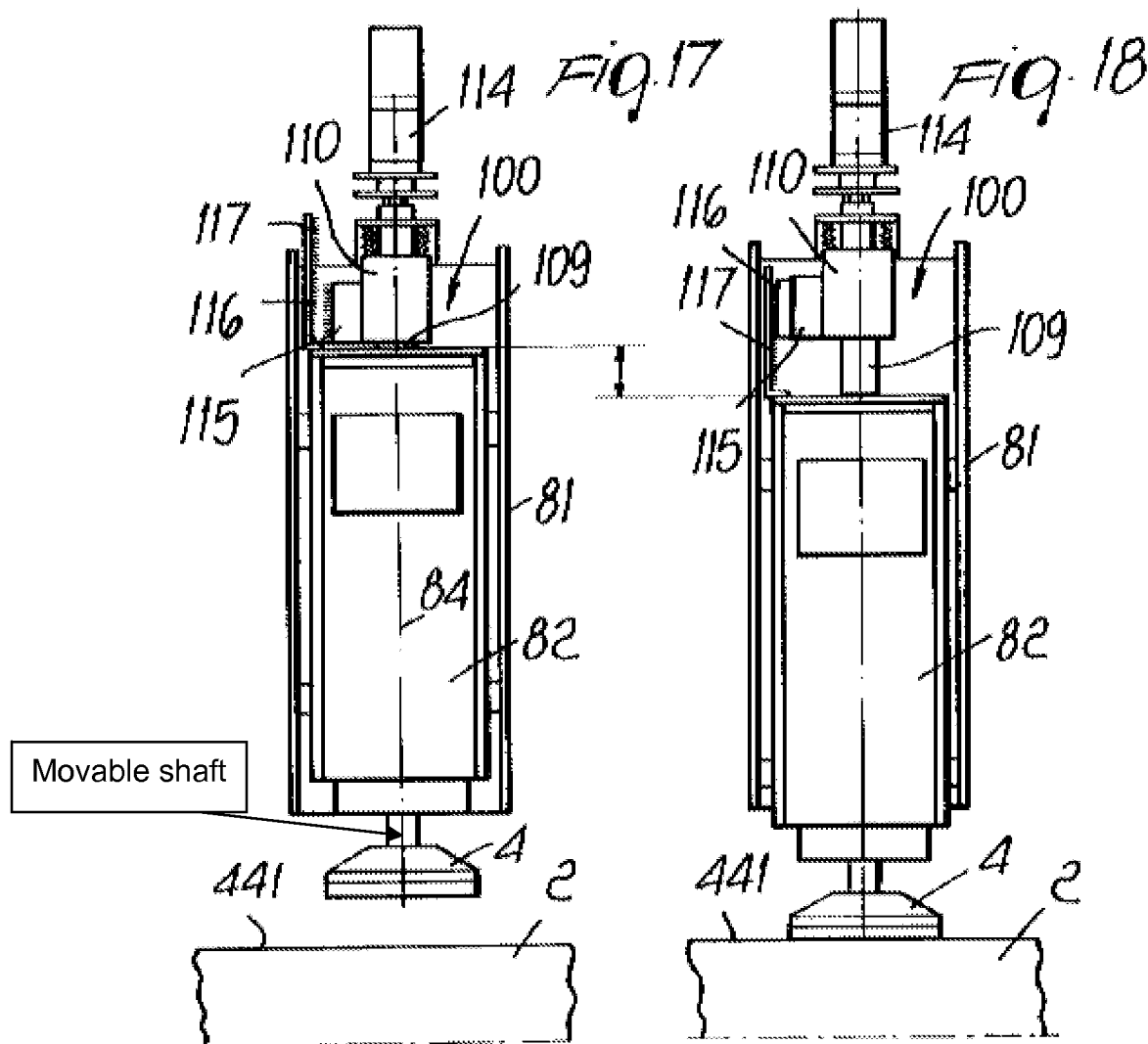
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(14) which moves the grinding heads in an annular coarse by at least one driving motor (Page 2, Column 1, Lines 1-14), since this chain is a three dimensional chain it would have at least one long side (i.e. its height) perpendicular to an underlying conveyor (2), but lacks, a grinding motor for each grinding head. However, Rosa discloses a grinding apparatus with a moveable support frame (51) which includes multiple grinding heads (1) (Figure 6) each of which include driving motors (82), said grinding heads being movably connected to a chain by attaching means (81) and the grinding heads can also be moved vertically up and down with respect to the workpiece (Column 4, Lines 16-24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the single drive chain (22) which drives all the grinding heads simultaneously, of Platt, with grinding motors that individually drive each grinding head, in view of Rosa, in order to individually maintain constant pressure at different locations thereby removing the surface of the workpiece without causing undesired stress.

In reference to claim 2, Platt also discloses using drive chains (14) for engaging drive wheels (15) driven by moving motors (Page 2, Column 1, Lines 1-14).

In reference to claim 3, Rosas also teaches of providing a moveable frame (51) as previously mentioned above.

In reference to claim 4, Rosas also teaches of providing a movable shaft (see figure below) connected to the grinding motors.



4. Claim 5, is rejected under 35 U.S.C. 103(a) as being unpatentable over Platt (1666347) in view of Rosa (6113472) and Knost (2985989). Platt discloses the claimed invention previously mentioned above, but lacks, having grinding elements that rotate in

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opposite directions. However, Knost teaches of rotating multiple grinding elements (26-29) in opposite directions (Figure 3). One of ordinary skill in the art could have applied to the known technique of rotating grinding elements in opposite directions, as taught by Knost, in the same way to the device, of Platt, and the results would have been predictable in that the workpiece would be provided with a true and level surface finish.

Response to Arguments

5. Applicant's arguments filed March 14, 2007 have been fully considered but they are not persuasive.

6. Applicant contends that **“Rosa is non-analogous art and cannot render the present invention obvious because it is neither in the field of Applicant's endeavor, nor reasonably pertinent to the particular problem with which the applicant was concerned. Rosa should be removed as a reference.”**

a. However, the examiner respectfully disagrees with this statement. Platt uses a single belt and a single motor to rotate multiple grinding elements. Rosa teaches that multiple grinding elements could be rotated individually with individual motors which effectively remove an outer layer from the workpiece while reducing stress in the workpiece (Column 1, Lines 63-65). Both references deal with rotating grinding elements therefore the examiner believes that clearly one of ordinary skill in the art could have substituted a chain for individual motors

in order to effectively remove an outer layer from the workpiece while reducing stress in the workpiece.

7. Applicant contends that **“Even if the two references were combined, they would not read on the invention of Claim 1 in which there is a process of a plate formed item having burrs, roundings and edges. Rosa is an apparatus for polishing a roller. The polishing effect would not be able to perform the deburring effect which is an object of the present invention and moreover, the technology relating to treatment of rollers is quite different from the technology of treating sheet formed items that include edges, roundings and surfaces.**

a. However, the examiner respectfully disagrees with this statement. The entire invention is related to an apparatus (used for grinding a workpiece) not to a workpiece. The workpiece does not add patentable weight to the apparatus as long as structurally the apparatus is capable of being used on such a workpiece. Since, the apparatus meets the structural limitations required by the claims than obviously the apparatus is capable of being use on a workpiece having edges, roundings and burrs.

8. Applicant contends that **“However, the examiner respectfully disagrees with this statement. Applicant is uncertain what the Examiner means by suggesting that the chain 22 of Platt be "modified" with grinding motors that individually drive each grinding head. Applicant is uncertain how motors could be added to a**

chain and does not believe that there would be a reasonable expectation of success in doing so.”

b. The examiner means that the single driving system (i.e. the chain) that rotates each grinding element of Platt could obviously be replaced with multiple driving systems (i.e. motors) that individually rotate each grinding element thereby allowing for each grinding element to be rotated at a desired speed.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT SCRUGGS whose telephone number is (571)272-8682. The examiner can normally be reached on Monday-Friday 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RS

/Joseph J. Hail, III/
Supervisory Patent Examiner, Art Unit 3723